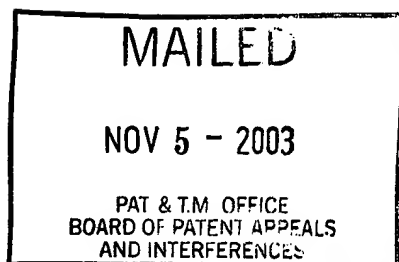




UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231


Filed by: Judge Michael P. Tierney
Telephone: (703) 308-9797
Facsimile: (703) 305-0942



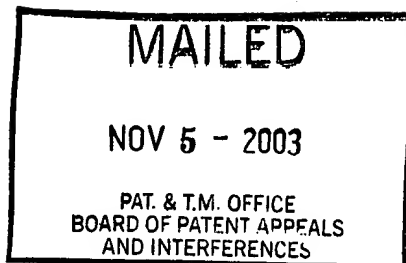
Applicant: RASMUSSEN
Application No.: 09/735,787
Filed: 12/13/00
For: CELLULASE PREPARATION COMPRISING
AN ENDOGLUCANASE ENZYME
Accorded benefit: Application Nos. 09/189,028,
filed 11/10/98 (6,423,524); 08/389,423, filed
02/14/95 (5,948,672); 07/946,489, filed 11/25/92;
PCT/DK91/00123, filed 05/08/91

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,155.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).


MICHAEL P. TIERNEY *For Michael Tierney*
Administrative Patent Judge

Filed by: Michael P. Tierney
Administrative Patent Judge
Mail Stop Interference
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Paper No. 1

Filed
5 November, 2003

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

GENENCOR INTERNATIONAL INC.
Junior Party,
(Patent Nos. 6,162,782 & 6,107,265),

v.

NOVOZYMES NORTH AMERICA, INC.
Senior Party,
(Application No. 09/735,787).

Patent Interference No. 105,155 (MPT)

NOTICE DECLARING INTERFERENCE
(37 CFR § 1.611)

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this NOTICE DECLARING INTERFERENCE.

Part B. Judge designated to handle the interference

Administrative Patent Judge Michael P. Tierney has been designated to handle the interference. 37 CFR § 1.610(a).

Part C. Standing order

A Trial Section STANDING ORDER accompanies this NOTICE DECLARING INTERFERENCE. The STANDING ORDER applies to this interference.

Part D. Conference call to set dates

A telephone conference call to set dates for taking action in the interference is scheduled for **2:00 p.m. on January 8, 2004** (the call will be initiated from the PTO).

No later than **two business days** prior to the conference call, each party shall file and serve by facsimile a list of the preliminary motions the party intends to file. See STANDING ORDER ¶ 10.

A copy of a "sample" order setting times for taking action during the preliminary motion phase of the interference accompanies this NOTICE DECLARING INTERFERENCE.

Counsel are encouraged to discuss the order prior to the conference call with the view to coming to some agreement as to dates for taking action. A typical preliminary motion period lasts approximately nine (9) months. Counsel should be prepared to justify any request for a shorter or longer period.

Part E. The parties involved in this interference are:

Junior Party

Named Inventor: KATHLEEN A. CLARKSON, San Francisco, CA
EDWARD LARENAS, San Carlos, CA
SHARON SHOEMAKER, Fairfield, CA
GEOFFREY L. WEISS, San Francisco, CA

Patent : U.S. Patent No. 6,107,265, issued August 22, 2000, based upon
U.S. Application No. 08/152,099, filed November 15, 1993

Title: Detergent Compositions Containing Cellulase Compositions
Deficient in CBH I Type Components

Assignee: Genencor International Inc. ("Genencor")

Accorded Benefit: U.S. Application No. 07/713,738, filed **June 11, 1991**,
now abandoned

Attorneys: See last page

Address: See last page

Junior Party

Named Inventor: KATHLEEN A. CLARKSON, San Francisco, CA
EDWARD LARENAS, San Carlos, CA
SHARON SHOEMAKER, Fairfield, CA
GEOFFREY L. WEISS, San Francisco, CA

Patent : U.S. Patent No. 6,162,782, issued December 19, 2000, based upon
U.S. Application No. 08/463,518, filed June 5, 1995.

Title: Detergent compositions containing cellulase compositions
deficient in CBH I type components

Assignee: Genencor

Accorded Benefit: 1) U.S. Application No. 08/152,099, filed November 15,
1993, now U.S. Patent No. 6,107,265, issued August 22,
2000.

2) U.S. Application No. 07/713,738, filed **June 11, 1991**, now
abandoned.

Attorneys: See last page

Address: See last page

Senior Party

Named inventor: GRETHE RASMUSSEN, Denmark
JAN MOLLER MIKKELSEN, Denmark
MARTIN SCHULEIN, Denmark
SHAMKANT ANANT PATKAR, Denmark
FRED HAGEN, Seattle, WA
CARSTEN MAILAND, HJORT, Denmark
SVEN HASTRUP, Denmark

Application: U.S. Application No. 09/735,787, filed December 13, 2000

Title: A Cellulase Preparation Comprising an Endoglucanase Enzyme

Assignee: Novozymes North America, Inc. ("Novozymes")

Accorded Benefit: 1) U.S. Application No. 09/189,028, filed November 10, 1998, now U.S. Patent No. 6,423,524, issued July 23, 2002.

2) U.S. Application No. 08/389,423, filed February 14, 1995, now U.S. Patent No. 5,948,672, issued September 7, 1999.

3) U.S. Application No. 07/946,489, filed November 25, 1992, now abandoned.

4) PCT/DK91/00123, filed **May 8, 1991**.

Attorneys: See last page

Address: See last page

Part F. Count and claims of the parties

Count 1

A composition according to claim 3 of U.S. Patent No. 6,107,265.

The claims of the parties are:

Novozymes, U.S. Application No. 09/735,787:	32-54
Genencor, U.S. Patent No. 6,107,265:	1-7
Genencor, U.S. Patent No. 6,162,782:	1-18

The claims of the parties which correspond to Count 1 are:

Novozymes, U.S. Application No. 09/735,787:	32-54
Genencor, U.S. Patent No. 6,107,265:	1-7
Genencor, U.S. Patent No. 6,162,782:	1-18

The claims of the parties which **do not** correspond to Count 1 are:

Novozymes, U.S. Application No. 09/735,787:	None
Genencor, U.S. Patent No. 6,107,265:	None
Genencor, U.S. Patent No. 6,162,782:	None

Part G. Heading to be used on papers

The following heading shall be used on papers filed in the interference. See STANDING
ORDER ¶ 3.5.

Filed on behalf of [name of party]

Paper ____¹

By: Name of lead counsel
Name of backup counsel
Street address
City, State, and Zip-Code
Tel:
Fax:

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

GENENCOR INTERNATIONAL INC.
Junior Party,
(Patent Nos. 6,162,782 & 6,107,265),

v.

NOVOZYMES NORTH AMERICA, INC.
Senior Party,
(Application No. 09/735,787).

Patent Interference No. 105,155 (MPT)

TITLE OF PAPER

¹ Leave a blank line because the board assigns the paper number.

Part H. Summary of dates for taking action

Times for taking action are set out in the following sections of the STANDING ORDER:

- ¶ 4: date for identifying lead and backup counsel.
- ¶ 5: date for identifying any real party in interest.
- ¶ 6: date for requesting copies of involved and benefit applications and patents.
- ¶ 7: date for accomplishing certain discovery.
- ¶ 8: date for filing clean copy of claims.
- ¶ 9: date for filing clean copy of claims in cases with drawings or claims containing a means plus function limitation.
- ¶ 10: date for filing list of proposed preliminary motions.
- ¶ 13.10.2: dates for filing oppositions to Rule 635 miscellaneous motions and dates for filing replies to oppositions.
- ¶ 14.1.1: date for objecting to admissibility of evidence.
- ¶ 14.2: date for serving supplemental affidavits or evidence to respond to objection to admissibility of evidence.
- ¶ 14.3: dates when cross-examination can take place.
- ¶ 15.2: dates for taking action with respect to settlement discussions.

Part I. Order form for requesting file copies

FILE COPY REQUEST
Interference 105,155


A copy of Part E of this NOTICE DECLARING INTERFERENCE should be attached to this FILE COPY REQUEST, with a circle by hand around the patents and applications for which a copy of a file wrapper is desired.

To facilitate processing of this FILE COPY REQUEST, the following information should be included:

1. Charge fees to USPTO Deposit Account No. _____
2. Complete address, including street, city, state, ZIP code and telephone number (do not list a Post Office box because file copies are sent via commercial overnight courier).

Telephone, including area code: _____

Part J. Signature of administrative patent judge


MICHAEL P. TIERNEY
Administrative Patent Judge

Enc:

Copy of STANDING ORDER

Copy of order used for setting times for taking action in the preliminary motion phase of the interference

Copy of order used for setting times for taking action in the testimony and briefing phases of the interference

Copy of claims 32-54 from Novozymes, U.S. Application No. 09/735,787

Copy of Genencor, U.S. Patent No. 6,107,265

Copy of Genencor, U.S. Patent No. 6,162,782

Revised May 2003

cc (via Federal Express):

Attorney for GENENCOR:

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Palo Alto, CA 94304

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Attorney for NOVOZYMES NORTH AMERICA, INC.

NOVOZYMES NORTH AMERICA, INC.
500 Fifth Avenue, Suite 1600
New York, N.Y. 10110

Tel: 212-840-0097

INTERFERENCE DIGEST

Interference No. 105,155

Paper No. 19

Name: Grethe Rasmussen et al.

Serial No.: 09/735,787

Patent No.

Title: CELLULASE PREPARATION COMPRISING AN ENDOGLUCANASE ENZYME

Filed: 12/13/00

Interference with Clarkson et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, adverse Dated, 4-21-06

Court, _____ Dated, _____

REMARKS

Redec. Ltr 4/6/05. Parties changed

This should be placed in each application or patent involved in interference in addition to the interference letters.